

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY DeFRANCO,  
Petitioner,

V.

WILLIAM WOLFE, et al.,  
Defendants.

FILED  
: C.A. No. 04-230-Erie  
: District Judge Cohill '06 FEB 15 A10:50  
: Magistrate Judge Baxter  
: CLERK  
: U.S. DISTRICT COURT

MOTION FOR SANCTIONS

TO: HONORABLE JUDGE MAURICE COHILL, Jr.

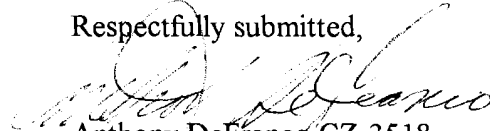
Plaintiff, Anthony DeFranco, respectfully moves this Honorable Court to impose sanctions upon the Defendants for non-compliance of its November 29<sup>th</sup>, 2005, Order, and in support avers:

1. On November 29<sup>th</sup>, 2005, this Honorable Court issued an Order granting Plaintiff's motion for reconsideration (Doc.#134) and directed the Defendants' to file a response within ten (10) days after the transcripts were filed.
2. The transcripts were filed on or before January 25, 2006, see Doc. ## 141 & 142.
3. Today is February 13, 2006, and the Defendants have failed to file a response as directed by this Honorable Court.
4. Due to the Defendants' non-compliance with this Court's Order, it is asked that sanctions be issued, the Defendants precluded from filing a response and the preliminary injunction issued to stop any retaliatory transfers.

5. In drafting the preliminary injunction, Plaintiff asks this Honorable Court to include in its Order that he, the Plaintiff, be given at least thirty (30) days notice *prior* to any planned transfer and the reason for any, so that he may be given the opportunity to request relief from this Court.

WHEREFORE, Plaintiff prays this Honorable Court impose sanctions upon the Defendants consistent with the requests made herein and for any other relief the Court may see fit.

Respectfully submitted,



Anthony DeFranco CZ-3518  
10745 Route 18  
Albion, Pa. 16475-0002

February 13, 2006

**CERTIFICATE OF SERVICE**

Service of the foregoing was made by US  
First Class Mail to the Attorney General's Office  
at 564 Forbes Ave., Pgh., Pa. 15219, this date.